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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
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11 MARTA RUSSELL,

12 Plaintiff,

13 v.

14 SHUTTERS ON THE BEACH, et al.,

15 Defendants.

Case No. 2:12-cv-7916-ODW(MRWx)

**ORDER TO SHOW CAUSE RE
LACK OF PROSECUTION**

16 On August 14, 2013, the parties filed their Notice of Settlement and asked the
17 Court to vacate all remaining pretrial and trial dates. (ECF No. 22.) The parties
18 represented that they have reached a full settlement and expected to execute the
19 settlement within one week of the Notice. (*Id.* at 2.) Further, Plaintiff requested leave
20 to file a motion for attorney's fees and costs within 30 days from the date of the
21 Court's order vacating the remaining pretrial and trial dates. (*Id.*)

22 Based on these representations, on August 14, 2013, the Court vacated the
23 remaining pretrial and trial dates and allowed Plaintiff to file a motion for attorney's
24 fees and costs within 30 days. (ECF No. 23.) Yet, more than 30 days has passed and
25 nothing has been filed.

26 Accordingly, the Court hereby **ORDERS Plaintiff TO SHOW CAUSE** why
27 this case should not be dismissed for lack of prosecution. Because her 30 days has
28 expired, she is no longer permitted to file a motion for attorney's fees. No hearing

1 will be held on this matter. This Order to Show Cause will be discharged upon the
2 filing of a stipulation and proposed order of dismissal. A response from Plaintiff is
3 required by September 24, 2013. Failure to timely respond will result in the dismissal
4 of this case with prejudice.

5 **IT IS SO ORDERED.**

6 September 20, 2013

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8 **OTIS D. WRIGHT, II**
9 **UNITED STATES DISTRICT JUDGE**